

MINUTES OF THE RUTHERFORD COUNTY PLANNING COMMISSION
MEETING

Monday, June 17, 2013 – 9:00AM

Present: Kim Warner, Vice-Chairman; Danny Wells, Secretary; John Bittle; Dwayne Harris; Phillip Miller; Mike Parton and Planning Director, Danny Searcy

Call to Order and Welcome by Vice Chairman Kim Warner who asked the Planner to open in prayer.

Minutes of last meeting: Correction made to those present; Corrected minutes Motion to approve by Danny Wells, second by Mike Parton; unanimously approved as corrected.

New Business:

Queens Gap Update from Odom/Watermark Engineering

As bond settlement proceedings are now final and Rutherford County will be handling the construction of the water and roads in Queens Gap, Odom Engineering and Watermark Engineering are partnering to work with the County to keep design and administer construction on these infrastructure items. During this time monthly updates to the planning board and regular inspections will be provided to the County. Expect to see this item in old business on future agendas through the life of this project. David Odom briefed the following today:

1. Provided information related to the planned offsite waterline extension project and internal waterline extension project. Specifically noted that this will be of great benefit to BRWA in being able to provide additional service in the north and western portions of the County. The permitting time is expected to take 6 months and the project will be bid in February 2014.
2. Provided information regarding the proposed bid times for Project 1 which is the main entrance road into the project. The advertisement for bids will occur in July after the July 1 Commissioner's Meeting.
3. Noted that, depending upon the resolution of the tax foreclosure process, it may make sense to explore a different entrance road provided that the challenges could be addressed.

Old Business:

GREYROCK Update from Odom Engineering:

1. Noted that the Project 10 bid opening is scheduled for July 2nd. This is actually one month ahead of schedule.

2. Noted the Project 4 loss of sediment into a stream. DWQ decided not to issue a Notice of Violation (NOV) and is going to note the item on their inspection report. The cleanup plan has been approved and cleanup is underway.
3. All construction projects have been impacted by the rain and are a little behind schedule. We still feel that we will be finishing construction sometime in May 2014.
4. Paving will begin on Project 5&6 shortly.

Miscellaneous:

Solar Farm Inquiries:

The Planner shared information with this Planning Commission via email for review of the number of requests for Zoning Consistency Determination on parcels in Rutherford County to house solar farms. During the months of February and March Rutherford County experienced 10 requests on fairly large tracts of rural property with the intent to install a series of large solar panels. These zoning letters were provided to the requestors noting that Rutherford is not zoned and the use would be allowed. This Planning Commission began to discuss this matter with questions being verbalized such as: what are the pros/cons? What regulation governs solar farms? How are these decommissioned after the lease, so that property owners aren't left with blight? With no answers to these questions Vice- Chairman Warner stated that due to the lack of knowledge, should this board consider a moratorium on permitting these for a period of time to conduct research and more adequately consider the ramifications. Secretary Wells agreed. Mr. Bittle asked additional questions regarding life cycle of the solar panels and how the County could ensure that the panels don't become blight in the future. The Planner noted that typically in N.C. the "building permit" is the approval where one is considered vested, but it is noteworthy that these 10 inquiries have already received their written zoning consistency determinations. Members of this commission brainstormed tax breaks and other incentives that could have spurred this spike in inquiries for solar farms in this area. Vice Chair Warner commented that this board may seriously need to request that the Board of Commissioners consider a moratorium on Solar Farm permitting until the County can complete the research necessary to make informed decisions and potential regulation/ordinance adoption. The Planner added that N.C. does not currently offer a model ordinance for solar farms, but understands that there are steps being taken to create a model ordinance. However, there is currently no timeline on creating a model ordinance. Discussion and brainstorming continued touching on current legislation, potential "good" such as job creation or other 'pros' that may result from green energy efforts. All agreed to continue individual research by each planning board member, and to share information with each other and the planner via email. Vice Chair Warner asked if this board was in consensus based on the direction of this discussion? The board discussed limitations for moratoria and how much time would be appropriate; the Planner commented that he would double check the statutes, but recalls some differentiation in 60-90 days verses longer. Vice Chair noted that he recommends longer time, such as 6

months. Unanimous vote carries to recommend a six month moratorium on building permits for solar farms to the Board of Commissioners.

Adjourn – with no other business noted by Vice Chairman Warner, motion to adjourn was made by Mike Parton with a unanimous vote.